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DEC 22 2008

OFFICE OF PETITIONS

In re Application of
Shah, et al.
Application No. 09/757,322
Filed: January 9, 2001
For: EMPLOYMENT RECRUITING
SYSTEM

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: DECISION ON PETITION
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This is a decision in response to the petition to revive under 37 CFR 1.137(a) filed October 24, 2008.

The petition is DISMISSED WITHOUT PREJUDICE.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(a)." This is not a final agency decision.

The provisions of 37 CFR 1.33(b) state that "[a]mendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by: (1) A patent practitioner of record appointed in compliance with § 1.32(b); (2) A patent practitioner not of record who acts in a representative capacity under the provisions of § 1.34; (3) An assignee as provided for under § 3.71(b) of this chapter; or (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter."

The instant petition is not signed by all of the inventors in accordance with 37 CFR 1.33(b)(4) or the assignee in accordance with 37 CFR 33(b)(3) and 37 CFR 3.73(b). Accordingly, the petition and request to change the correspondence address have not been reviewed on the merits.

Any renewed petition and accompanying documents must be properly executed in accordance with 37 CFR 1.33 prior to treatment on the merits.

Petitioners' request for change of correspondence address has not been entered into the record because it is not properly signed. Petitioners are advised that, while the instant communication is being dually mailed, all future correspondence will continue to be addressed to the address of record until such time as proper instruction to the contrary is received.

Further correspondence with respect to this matter should be addressed as follows:


By Mail: Mail Stop PETITION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
Customer Service Window, Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By facsimile: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205


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